

OFFICE OF THE CHIEF FINANCIAL OFFICER

WASHINGTON, D.C. 20460

March 25, 2025

Beatrice May 4619 9th St. NW Washington, DC 20011

Re: Freedom of Information Act Request No. 2025-EPA-04422, Final Response

Date Filed 04/21/25

Dear Beatrice May:

This letter concerns the above-referenced FOIA request, received by the U.S. Environmental Protection Agency on February 7, 2025, in which you requested

the EPA Memo from February 4, 2025, titled "Inflation Reduction Act and Infrastructure Investment and Jobs Act Funding Action Pause." I would also like to request all documents and communications referencing that or related to that list. The memo was signed by Acting Chief Financial Officer Gregg Treml. Lek Kadeli, Meshell Jones-Peeler, Paige Hanson, OCFO Senior Managers, Vonda Jennette, Greg Luebbering, Senior Resource Officials, Senior Budget Officers, Regional Comptrollers, and Funds Control Officers were CC'd. The memo states, "Consistent with the Order, the agency's financial system will now enable the obligation of financial assistance. This includes programs within the Infrastructure Investment and Jobs Act and the Inflation Reduction Act, including federal financial assistance in the State and Tribal Assistance Grants, Brownfields, and Superfund. The Office of Budget will follow-up with a detailed list. Additionally, the disbursement of funds connected to this notice will continue."

Disposition

Granted.

Description of Records

The Agency has concluded its search for records responsive to your request and is providing the requested records in full. Enclosed is Memorandum on the Inflation Reduction Act and Infrastructure Investment and Jobs Acting Funding Action Pause, the update memorandum and the List of Sections effected.

Cost Information

The cost to process your request was \$0.00.

Final Appeal Rights and Contact Information

You may appeal this determination in writing within 90 calendar days from the date of this letter by one of the following methods:

1. Visit EPA's FOIA submission website (https://foiapublicaccessportal.epa.gov/), sign into your account by clicking Sign-In, and select Submit Appeal.2. U.S. Mail sent to the following address:

National FOIA Office, U.S. Environmental Protection Agency, 1200 Pennsylvania NW, Room (2310A), Washington, DC 20460; or

3. Overnight delivery service to:

National FOIA Office, U.S. Environmental Protection Agency, 1200 Pennsylvania NW, Room 7309C, Washington, DC 20460.

The Agency will not consider appeals received after the 90-calendar-day limit. Appeals received after 5:00 p.m. EST will be considered received on the next business day. The appeal should include the FOIA tracking number listed above. For quickest possible handling, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal."

If you need any further assistance or would like to discuss any aspect of your request, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or call (202) 566-1667. You may also seek assistance from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001; email: ogis@nara.gov; telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769. For all media inquiries, please contact press@epa.gov.

If you have any questions concerning this response, please contact John Wright of my staff at wright.john@epa.gov.

Sincerely,

Wyatt Boyd, Deputy Director Office of Budget

U.S. EPA, OCFO/OB (2732A) 1200 Pennsylvania Avenue, NW Washington, DC 20460

cc: Chandra Kennedy, OCFO FOIA Officer



OFFICE OF THE CHIEF FINANCIAL OFFICER

WASHINGTON, D.C. 20460

[DATE \@ "MMMM d, yyyy"]

Beatrice May 4619 9th St. NW Washington, DC 20011

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If you have any questions concerning this response, please contact John Wright of my staff at [HYPERLINK "mailto:wright.john@epa.gov"].

Sincerely,

Wyatt Boyd, Deputy Director Office of Budget

U.S. EPA, OCFO/OB (2732A) 1200 Pennsylvania Avenue, NW Washington, DC 20460

cc: Chandra Kennedy, OCFO FOIA Officer

From: To:

Cc: Wise, Melissa; Legare, Pamela; Rogers, JoanB; Coogan, Daniel; Kalikhman, Yulia; Gulamali, Adil; Lavergne,

Dany; Miller, Renee; Jennette, Vonda; Luebbering, Gregory, Talbert-Duarte, Angelia; Goerke,

Page 7 of 73

Ariadne; Askew, Wendel; Holden, Allison

Subject: Additional Information on IIJA and IRA

Date: Tuesday, February 4, 2025 1:45:46 PM

Attachments: Update on IIJA and IRA Pause FINAL 2-4-2025.pdf

List of Sections.xlsx

Importance: High

This message provides additional detail to the attached message from the Acting Chief Financial Officer.

Consistent with Court Order, obligations and disbursements to carry out all necessary work can proceed for all federal financial assistance, including cooperative assistance agreements, all Superfund, and the accounts attached.

We will continue to keep the community updated as we implement Orders. Please note that effectuation in agency systems is occurring and requires sequencing.

Please share this information within EPA as necessary to execute.



Date Filed 04/21/25 Entry Number 106-6 OFFICE OF BUDGET

ROUTING AND TRANSMITTAL SLIP

CONCUR	SIGNATURE	DATE	COMMENTS
	JOHN WRIGHT Digitally signed by JOHN WRIGHT Date: 2025.03.25.09.26:11-04:00		
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SUBJECT: FOIA 2025-EPA-04422

	As Requested	For Correction		Prepare Reply
	Circulate	For Your Info		See Me
	Action	File		Note & Return
V	Approval	For Clearance		Per Conversation
	Comment	Investigate	~	Signature
	Coordination	Justify		Return a signed copy

-			10		
Desc	rın	tion	/ 6	mm	ente

Description

Attached is the IRA/IIJA Pause Memo with the list of sections. Group emails have been redacted.

Comments: Director/Deputy ONLY

POINT OF CONTACT

Name: John Wright Phone: 564-2123 Room: 4443Q

2:25-cv-02152-RMG Date Filed 04/21/25 Entry Number 106-6 Page 9 of 73

Message

From: Wright, John [wright.john@epa.gov]

Sent: 3/25/2025 2:21:40 PM

To: FOIA Awareness Notification Email Recipients [FOIA Awareness Notification Email Recipients@epa.gov]; OGC

Awareness Notification Process [OGC_Awareness_Notification_Process@usepa.onmicrosoft.com]

CC: Treml, Gregg [Treml.Gregg@epa.gov]; Kadeli, Lek [Kadeli.Lek@epa.gov]; Robinson, Angel [robinson.angel@epa.gov];

Boyd, Wyatt [Boyd.Wyatt@epa.gov]; Mason, Jay [Mason.Jay@epa.gov]; Kennedy, Chandra

[Kennedy.Chandra@epa.gov]

Subject: Awareness Notification 2025-EPA-04422 IRA and IIJA Funding Action Pause

Attachments: List of Sections.pdf; Final Response Letter 2025-EPA-04422.pdf; Additional Information on IIJA and IRA .pdf;

Additional Information on IIJA and IRA _Redacted.pdf

To whom it may concern,

Office of Budget is responding to the above-referenced FOIA request(s). We are providing this awareness notification email pursuant to the Chief of Staff's November 16, 2018 memorandum "Awareness Notification Process for Select Freedom of Information Act Releases." Recipients of this email have up to three business days following transmission of this email to review the documents to be released.

There is no requirement for you to respond to this email or otherwise take action. The Action Office has completed review and obtained management approval consistent with the agency's FOIA policy and procedures.

After 4 p.m. on the third business day after transmission of this email, the Action Office will issue the Agency's FOIA determination to the requester(s). The determination will be issued promptly, but in no event later than one business day following completion of the three-day awareness notification period.

The information provided below is consistent with Paragraph 4 of the above-referenced November 16, 2018 memorandum.

FOIA ID	Requester	Requester Organization	Date FOIA Request Perfected	Date sent for Awareness Notification	Brief description of request as clarified	Interim or Final Response	Number of Records and/or pages
2025- EPA- 04422	Beatrice May	N/A	3/10/2025	3/25/2025	EPA Memo from February 4, 2025, titled "Inflation Reduction Act and Infrastructure Investment and Jobs Act Funding Action Pause.	Final	7

The following offices have equities in these records and have reviewed the relevant records:

-Office of Budget

The manager who approved this release is: Wyatt Boyd

T h e r e C o r d S a r a t t С h

e d

John Wright
Office of Budget
Office of the Chief Financial Officer
U.S. Environmental Protection Agency

Office: (202) 564-2123

<u>IIJA</u>
Addressing Emerging Contaminant Grants
Battery Recycling Best Practices
Brownfields
Chesapeake Bay
Clean Water State Revolving Loan Funds
Clean Water State Revolving Loan Funds - Emerging Contaminants
Columbia River Basin
Drinking Water Programs - Class VI Wells
Drinking Water State Revolving Loan Funds
Drinking Water State Revolving Loan Funds - Emerging Contaminants
Drinking Water State Revolving Loan Funds - Lead Service Line Replacement
Great Lakes Restoration Initiative
Gulf Hypoxia Action Plan
Gulf of Mexico (America)
Lake Champlain
Lake Pontchartrain
Long Island Sound
National Estuary Program Grants
Pacific Northwest
Pollution Prevention Grants
Puget Sound

Controlled by U.S. Environmental Protection Agency

Recycling Grants	
San Francisco Bay	
Solid Waste Infrastructure Financing - Save Our Seas Act Grants	
South Florida	
Southern New England Estuaries	
Superfund Remedial	
UIC Grants	
Voluntary Battery Labeling Guidelines	



OFFICE OF THE CHIEF FINANCIAL OFFICER

WASHINGTON, D.C. 20460

March 25, 2025

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2:25-cv-02152-RMG

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If you have any questions concerning this response, please contact John Wright of my staff at wright.john@epa.gov.

Sincerely,

WYATT BOYD Digitally signed by WYATT BOYD Date: 2025.03.25 09:19:48 -04'00'

Wyatt Boyd, Deputy Director Office of Budget

U.S. EPA, OCFO/OB (2732A) 1200 Pennsylvania Avenue, NW Washington, DC 20460

cc: Chandra Kennedy, OCFO FOIA Officer

From: Budget and Planning

To: OCFO-SBO-STAFF;; OCFO-Regional-Comptroller; OCFO-Regional Budget Officers; OCFO-SROs;

Regional Mission Support Division - Directors; Regional Mission Support Division - Directors; OCFO-FCOs Wise, Melissa; Legare, Pamela; Rogers, JoanB; Coogan, Daniel; Kalikhman, Yulia; Gulamali, Adil; Lavergne,

Dany; Miller, Renee; Jennette, Vonda; Luebbering, Gregory; OCFO-OB-ALL.; Talbert-Duarte, Angelia; Goerke,

Ariadne; Askew, Wendel; Holden, Allison

Subject: Additional Information on IIJA and IRA

Date: Tuesday, February 4, 2025 1:45:46 PM

Attachments: Update on IIJA and IRA Pause FINAL 2-4-2025.pdf

List of Sections.xlsx

Importance: High

Cc:

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Please share this information within EPA as necessary to execute.



THE CHIEF FINANCIAL OFFICER

WASHINGTON, D.C. 20460

February 4, 2025

MEMORANDUM

SUBJECT: Update on Inflation Reduction Act and Infrastructure Investment and Jobs Act Pause

FROM: Gregg Treml, Chief Financial Officer (Acting)

GREGG Digitally signed by GREGG TREML Date: 2025.02.04 12:53:31-0500'

TO: Deputy Assistant Administrators

Deputy Associate Administrators Deputy Regional Administrators

Distribute as appropriate to those needed to carry out this direction.

This message provides an update pursuant to the recent <u>Court directive</u> addressing financial assistance. The Court directs that federal financial assistance shall not be paused based on the Office of Management and Budget's direction in the rescinded OMB memorandum or the President's Executive Orders, while ongoing litigation proceeds or until otherwise directed by a Court.

Consistent with the Order, the agency's financial system will now enable the obligation of financial assistance. This includes programs within the Infrastructure Investment and Jobs Act and the Inflation Reduction Act, including federal financial assistance in the State and Tribal Assistance Grants, Brownfields, and Superfund. The Office of Budget will follow-up with a detailed list. Additionally, the disbursement of funds connected to this notice will continue.

OCFO, working closely with the Office of General Counsel and Office of Mission Support, will continue to keep the community updated on this matter.

cc: Lek Kadeli
Meshell Jones-Peeler
Paige Hanson
OCFO Senior Managers
Vonda Jennette
Greg Luebbering
Senior Resource Officials
Senior Budget Officers

2:25-cv-02152-RMG Date Filed 04/21/25 Entry Number 106-6 Page 18 of 73

Regional Comptrollers Funds Control Officers This document is produced in native format.

Original file name:

List of Sections.xlsx

From: To:

Cc: Wise, Melissa; Legare, Pamela; Rogers, JoanB; Coogan, Daniel; Kalikhman, Yulia; Gulamali, Adil; Lavergne,

Dany; Miller, Renee; Jennette, Vonda; Luebbering, Gregory, Talbert-Duarte, Angelia; Goerke,

Ariadne; Askew, Wendel; Holden, Allison

Subject: Additional Information on IIJA and IRA
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2:25-cv-02152-RMG Date Filed 04/21/25 Entry Number 106-6

Message

Gulamali, Adil [Gulamali.Adil@epa.gov] From:

3/7/2025 5:04:46 PM Sent:

To: Treml, Gregg [Treml.Gregg@epa.gov]; Lavergne, Dany [lavergne.dany@epa.gov]

CC: Kadeli, Lek [Kadeli.Lek@epa.gov]; Jones-Peeler, Meshell [Jones-Peeler.Meshell@epa.gov]; Robinson, Angel

[robinson.angel@epa.gov]; Boyd, Wyatt [Boyd.Wyatt@epa.gov]

Subject: RE: Place Hold/ Control in ASAP - 8 programs

Thanks Gregg. Will do

Adil

From: Treml, Gregg < Treml. Gregg@epa.gov>

Sent: Friday, March 7, 2025 12:04 PM

To: Gulamali, Adil <Gulamali.Adil@epa.gov>; Lavergne, Dany <lavergne.dany@epa.gov>

Cc: Kadeli, Lek <Kadeli.Lek@epa.gov>; Jones-Peeler, Meshell <Jones-Peeler.Meshell@epa.gov>; Robinson, Angel

<robinson.angel@epa.gov>; Boyd, Wyatt <Boyd.Wyatt@epa.gov>

Subject: FW: Place Hold/ Control in ASAP - 8 programs

Adil/Dany,

Please lock the accounts associated with the list below. Please confirm when complete. If it is going to take longer than today, please let me know soonest.

Thank you, -Gregg

Gregg Treml

Acting Chief Financial Officer United States Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Room 4402A WJCN

Washington, DC 20460

(202)-564-1151

treml.gregg@epa.gov

From: Voyles, Travis <voyles.travis@epa.gov>

Sent: Friday, March 7, 2025 12:02 PM To: Treml, Gregg < Treml. Gregg@epa.gov>

Cc: Molina, Michael < molina.michael@epa.gov >

Subject: RE: Place Hold/ Control in ASAP - 8 programs

Thank you for checking.

Yes, this is the direction. We are proceeding with cancelling these grants and would like to prevent any drawdowns in the time between announcement and execution through OMS.

Travis Voyles C: (202) 787-0595 Page 21 of 73

Page 22 of 73

From: Treml, Gregg < Treml. Gregg@epa.gov>

Sent: Friday, March 7, 2025 12:00 PM

To: Voyles, Travis < voyles.travis@epa.gov >
Cc: Molina, Michael < molina.michael@epa.gov >
Subject: FW: Place Hold/ Control in ASAP - 8 programs

Travis,

Confirming this is your direction?

Thank you,
-Gregg

Gregg Treml
Acting Chief Financial Officer
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Room 4402A WJCN
Washington, DC 20460
(202)-564-1151
treml.gregg@epa.gov

From: Coogan, Daniel < Coogan. Daniel @epa.gov>

Sent: Friday, March 7, 2025 11:53 AM

 $\textbf{To:} \ \mathsf{Treml, Gregg} \\ < \underline{\mathsf{Treml.Gregg@epa.gov}} \\ \mathsf{; Kadeli, Lek} \\ < \underline{\mathsf{Kadeli.Lek@epa.gov}} \\ \mathsf{; Jones-Peeler, Meshell} \\ < \underline{\mathsf{Jones-Peeler, Meshell}} \\ \mathsf{[Supple of the lease of the le$

Peeler.Meshell@epa.gov>; Gulamali, Adil <Gulamali.Adil@epa.gov>

Cc: Patrick, Kimberly <Patrick.Kimberly@epa.gov>; Wise, Melissa <wise.melissa@epa.gov>

Subject: Place Hold/ Control in ASAP - 8 programs

All, we just had a check-in with Travis and as part of a broader effort related to certain grant programs, please put a control on ASAP accounts for all grants funded under the following grant programs so recipients cannot draw funds.

CFDA/Assistance Number Listing	CFDA/Assistance Listing Title
66.306	Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program
66.309	Surveys, Studies, Investigations, Training and Special Purpose Activities Relating to Environmental Justice
66.312	Environmental Justice Government-to-Government (EJG2G) Program

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66.604	Environmental Justice Small Grant Program
66.614	Financial Assistance For Community Support Activities To Address Environmental Justice Issues
66.615	Environmental Justice Thriving Communities Grantmaking Program (EJ TCGM)
66.616	Environmental and Climate Justice Block Grant Program
66.721	Reducing Embodied Greenhouse Gas Emissions for Construction Materials and Products

Date Filed 04/21/25 Entry Number 106-6

Page 24 of 73

Message

From: Treml, Gregg [Treml.Gregg@epa.gov]

2:25-cv-02152-RMG

Sent: 3/10/2025 1:01:57 PM

To: Lavergne, Dany [lavergne.dany@epa.gov]; Gulamali, Adil [Gulamali.Adil@epa.gov]

CC: Kadeli, Lek [Kadeli.Lek@epa.gov]; Jones-Peeler, Meshell [Jones-Peeler.Meshell@epa.gov]; Robinson, Angel

[robinson.angel@epa.gov]; Boyd, Wyatt [Boyd.Wyatt@epa.gov]

Subject: RE: Place Hold/ Control in ASAP - 8 programs

Thank you. Please think through the financial statement impact given the volume of potential terminations and the agency's ability to monitor and close these out within the 120 day window.

Gregg Treml
Acting Chief Financial Officer
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Room 4402A WJCN
Washington, DC 20460
(202)-564-1151
treml.gregg@epa.gov

From: Lavergne, Dany < lavergne.dany@epa.gov>

Sent: Monday, March 10, 2025 8:48 AM

To: Treml, Gregg < Treml. Gregg@epa.gov>; Gulamali, Adil < Gulamali. Adil@epa.gov>

Cc: Kadeli, Lek <Kadeli.Lek@epa.gov>; Jones-Peeler, Meshell <Jones-Peeler.Meshell@epa.gov>; Robinson, Angel

<robinson.angel@epa.gov>; Boyd, Wyatt <Boyd.Wyatt@epa.gov>

Subject: RE: Place Hold/ Control in ASAP - 8 programs

Attached is a document with all three of the relevant 2 CFR 200 passages on grant termination and closeout. Also attached is a copy of a terminated award and the instructions sent with it.

Dany

Dany Lavergne | Acting Deputy Controller | EPA, OCFO, Office of the Controller (202) 564-7874 | lavergne.dany@epa.gov

From: Lavergne, Dany

Sent: Monday, March 10, 2025 7:55 AM

To: Treml, Gregg < Treml. Gregg@epa.gov >; Gulamali, Adil < Gulamali. Adil@epa.gov >

Cc: Kadeli, Lek <Kadeli.Lek@epa.gov>; Jones-Peeler, Meshell <Jones-Peeler.Meshell@epa.gov>; Robinson, Angel

<robinson.angel@epa.gov>; Boyd, Wyatt <Boyd.Wyatt@epa.gov>

Subject: RE: Place Hold/ Control in ASAP - 8 programs

Good morning, Gregg,

Below is the citation from 2 CFR 200 on the 120 day closeout period for grants. I've also asked RTPFD for specific T&Cs from cancelled grants as examples and should have those shortly.

https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR682eb6fbfabcde2/section-200.344

200.344 Closeout.

- (a) The Federal agency or pass-through entity must close out the Federal award when it determines that all administrative actions and required work of the Federal award have been completed. When the recipient or subrecipient fails to complete the necessary administrative actions or the required work for an award, the Federal agency or pass-through entity must proceed with closeout based on the information available. This section specifies the administrative actions required at the end of the period of performance.
- (b) A recipient must submit all reports (financial, performance, and other reports required by the Federal award) no later than 120 calendar days after the conclusion of the period of performance. A subrecipient must submit all reports (financial, performance, and other reports required by a subaward) to the pass-through entity no later than 90 calendar days after the conclusion of the period of performance of the subaward (or an earlier date as agreed upon by the pass-through entity and subrecipient). When justified, the Federal agency or pass-through entity may approve extensions for the recipient or subrecipient. When the recipient does not have a final indirect cost rate covering the period of performance, a final financial report must still be submitted to fulfill the requirements of this section. The recipient must submit a revised final financial report when all applicable indirect cost rates have been finalized.
- (c) The recipient must liquidate all financial obligations incurred under the Federal award no later than 120 calendar days after the conclusion of the period of performance. A subrecipient must liquidate all financial obligations incurred under a subaward no later than 90 calendar days after the conclusion of the period of performance of the subaward (or an earlier date as agreed upon by the pass-through entity and subrecipient). When justified, the Federal agency or pass-through entity may approve extensions for the recipient or subrecipient.
- (d) The Federal agency or pass-through entity must not delay payments to the recipient or subrecipient for costs meeting the requirements of subpart E of this part.
- (e) The recipient or subrecipient must promptly refund any unobligated funds that the Federal agency or pass-through entity paid and that are not authorized to be retained. See OMB Circular A-129 and § 200.346.
- (f) The Federal agency or pass-through entity must make all necessary adjustments to the Federal share of costs after closeout reports are received (for example, to reflect the disallowance of any costs or the deobligation of an unliquidated balance).
- (g) The recipient or subrecipient must account for any property acquired with Federal funds or received from the Federal Government in accordance with §§ 200.310 through 200.316 and 200.330.
- (h) The Federal agency must make every effort to complete all closeout actions no later than one year after the end of the period of performance. If the indirect cost rate has not been finalized and would delay closeout, the Federal agency is authorized to mutually agree with the recipient to close an award using the current or most recently negotiated rate. However, the recipient is not required to agree to a final rate for a Federal award for the purpose of prompt closeout.
- (i) If the recipient does not comply with the requirements of this section, including submitting all final reports, the Federal agency must report the recipient's material failure to comply with the terms and conditions of the Federal award in *SAM.gov*. A Federal agency must use the Contractor Performance Assessment Reporting System (CPARS) to enter or amend information in *SAM.gov*. Federal agencies may also pursue other enforcement actions as appropriate. See § 200.339.

Dany Lavergne | Acting Deputy Controller | EPA, OCFO, Office of the Controller (202) 564-7874 | lavergne.dany@epa.gov

From: Treml, Gregg < Treml. Gregg@epa.gov>

Sent: Friday, March 7, 2025 4:32 PM

To: Gulamali, Adil < Gulamali. Adil @epa.gov >; Lavergne, Dany < lavergne.dany@epa.gov >

Cc: Kadeli, Lek <Kadeli.Lek@epa.gov>; Jones-Peeler, Meshell <Jones-Peeler.Meshell@epa.gov>; Robinson, Angel

<robinson.angel@epa.gov>; Boyd, Wyatt <Boyd.Wyatt@epa.gov>

Subject: RE: Place Hold/ Control in ASAP - 8 programs

2:25-cv-02152-RMG Date Filed 04/21/25 Entry Number 106-6 Page 26 of 73

Thank you and thanks to the RTP team. Dany, please pass along the FFR information you mentioned earlier by Monday.

Best,
-Gregg

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Sent: Friday, March 7, 2025 4:31 PM

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Subject: RE: Place Hold/ Control in ASAP - 8 programs

Hi Gregg-

Completed. All 446 awards have been suspended for CFDA/Assistance Listings below. Thanks OB for the PRCs. Any questions let us know. Thanks

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From: Treml, Gregg < Treml. Gregg@epa.gov>

Sent: Friday, March 7, 2025 12:04 PM

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Cc: Kadeli, Lek < Kadeli.Lek@epa.gov>; Jones-Peeler, Meshell < Jones-Peeler.Meshell@epa.gov>; Robinson, Angel

<robinson.angel@epa.gov>; Boyd, Wyatt <Boyd.Wyatt@epa.gov>

Subject: FW: Place Hold/ Control in ASAP - 8 programs

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Please lock the accounts associated with the list below. Please confirm when complete. If it is going to take longer than today, please let me know soonest.

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From: Voyles, Travis < voyles.travis@epa.gov > Sent: Friday, March 7, 2025 12:02 PM

To: Treml, Gregg < Treml. Gregg@epa.gov>
Cc: Molina, Michael < molina.michael@epa.gov>
Subject: RE: Place Hold/ Control in ASAP - 8 programs

Thank you for checking.

Yes, this is the direction. We are proceeding with cancelling these grants and would like to prevent any drawdowns in the time between announcement and execution through OMS.

__

Travis Voyles C: (202) 787-0595

From: Treml, Gregg < Treml. Gregg@epa.gov>

Sent: Friday, March 7, 2025 12:00 PM
To: Voyles, Travis < voyles.travis@epa.gov >
Cc: Molina, Michael < molina.michael@epa.gov >

Subject: FW: Place Hold/ Control in ASAP - 8 programs

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Confirming this is your direction?

Thank you,
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From: Coogan, Daniel < Coogan. Daniel @epa.gov>

Sent: Friday, March 7, 2025 11:53 AM

To: Treml, Gregg < Treml.Gregg@epa.gov >; Kadeli, Lek < Kadeli.Lek@epa.gov >; Jones-Peeler, Meshell < Jones-

Peeler.Meshell@epa.gov>; Gulamali, Adil < Gulamali.Adil@epa.gov>

Cc: Patrick, Kimberly < Patrick. Kimberly@epa.gov>; Wise, Melissa < wise.melissa@epa.gov>

Subject: Place Hold/ Control in ASAP - 8 programs

All, we just had a check-in with Travis and as part of a broader effort related to certain grant programs, please put a control on ASAP accounts for all grants funded under the following grant programs so recipients cannot draw funds.

CEDA /Assistance Number	CFDA/Assistance Listing Title
Crua/Assistance Number	Crua/Assistance Listing Title
Listing	
Listing	

66.306	Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program
66.309	Surveys, Studies, Investigations, Training and Special Purpose Activities Relating to Environmental Justice
66.312	Environmental Justice Government-to-Government (EJG2G) Program
66.604	Environmental Justice Small Grant Program
66.614	Financial Assistance For Community Support Activities To Address Environmental Justice Issues
66.615	Environmental Justice Thriving Communities Grantmaking Program (EJ TCGM)
66.616	Environmental and Climate Justice Block Grant Program
66.721	Reducing Embodied Greenhouse Gas Emissions for Construction Materials and Products

Message

Lavergne, Dany [lavergne.dany@epa.gov] From:

3/10/2025 12:48:28 PM Sent:

To: Treml, Gregg [Treml.Gregg@epa.gov]; Gulamali, Adil [Gulamali.Adil@epa.gov]

CC: Kadeli, Lek [Kadeli.Lek@epa.gov]; Jones-Peeler, Meshell [Jones-Peeler.Meshell@epa.gov]; Robinson, Angel

[robinson.angel@epa.gov]; Boyd, Wyatt [Boyd.Wyatt@epa.gov]

RE: Place Hold/ Control in ASAP - 8 programs Subject:

Attachments: 2 CFR 200 Termination and Closeout Sections.docx; 02-21-25 R3 36140 5B-95338201.pdf;

Termination_Memo_5B95338201.pdf

Attached is a document with all three of the relevant 2 CFR 200 passages on grant termination and closeout. Also attached is a copy of a terminated award and the instructions sent with it.

Dany

Dany Lavergne | Acting Deputy Controller | EPA, OCFO, Office of the Controller (202) 564-7874 | lavergne.dany@epa.gov

From: Lavergne, Dany

Sent: Monday, March 10, 2025 7:55 AM

To: Treml, Gregg < Treml. Gregg@epa.gov>; Gulamali, Adil < Gulamali. Adil@epa.gov>

Cc: Kadeli, Lek <Kadeli.Lek@epa.gov>; Jones-Peeler, Meshell <Jones-Peeler.Meshell@epa.gov>; Robinson, Angel

<robinson.angel@epa.gov>; Boyd, Wyatt <Boyd.Wyatt@epa.gov>

Subject: RE: Place Hold/ Control in ASAP - 8 programs

Good morning, Gregg,

Below is the citation from 2 CFR 200 on the 120 day closeout period for grants. I've also asked RTPFD for specific T&Cs from cancelled grants as examples and should have those shortly.

https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR682eb6fbfabcde2/section-200.344

200.344 Closeout.

- (a) The Federal agency or pass-through entity must close out the Federal award when it determines that all administrative actions and required work of the Federal award have been completed. When the recipient or subrecipient fails to complete the necessary administrative actions or the required work for an award, the Federal agency or pass-through entity must proceed with closeout based on the information available. This section specifies the administrative actions required at the end of the period of performance.
- (b) A recipient must submit all reports (financial, performance, and other reports required by the Federal award) no later than 120 calendar days after the conclusion of the period of performance. A subrecipient must submit all reports (financial, performance, and other reports required by a subaward) to the pass-through entity no later than 90 calendar days after the conclusion of the period of performance of the subaward (or an earlier date as agreed upon by the passthrough entity and subrecipient). When justified, the Federal agency or pass-through entity may approve extensions for the recipient or subrecipient. When the recipient does not have a final indirect cost rate covering the period of performance, a final financial report must still be submitted to fulfill the requirements of this section. The recipient must submit a revised final financial report when all applicable indirect cost rates have been finalized.
- (c) The recipient must liquidate all financial obligations incurred under the Federal award no later than 120 calendar days after the conclusion of the period of performance. A subrecipient must liquidate all financial obligations incurred under a subaward no later than 90 calendar days after the conclusion of the period of performance of the subaward (or an earlier

date as agreed upon by the pass-through entity and subrecipient). When justified, the Federal agency or pass-through entity may approve extensions for the recipient or subrecipient.

- (d) The Federal agency or pass-through entity must not delay payments to the recipient or subrecipient for costs meeting the requirements of subpart E of this part.
- (e) The recipient or subrecipient must promptly refund any unobligated funds that the Federal agency or pass-through entity paid and that are not authorized to be retained. See OMB Circular A-129 and § 200.346.
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2:25-cv-02152-RMG Date Filed 04/21/25 Entry Number 106-6 Page 31 of 73

Cc: Kadeli, Lek < Kadeli.Lek@epa.gov >; Jones-Peeler, Meshell < Jones-Peeler.Meshell@epa.gov >; Robinson, Angel < robinson.angel@epa.gov >; Boyd, Wyatt < Boyd.Wyatt@epa.gov >

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2:25-cv-02152-RMG Date Filed 04/21/25 Entry Number 106-6 Page 33 of 73

66.604	Environmental Justice Small Grant Program
66.614	Financial Assistance For Community Support Activities To Address Environmental Justice Issues
66.615	Environmental Justice Thriving Communities Grantmaking Program (EJ TCGM)
66.616	Environmental and Climate Justice Block Grant Program
66.721	Reducing Embodied Greenhouse Gas Emissions for Construction Materials and Products

2 CFR 200.340 Termination.

- (a) The Federal award may be terminated in part or its entirety as follows:
 - (4) By the Federal agency or pass-through entity pursuant to the terms and conditions of the Federal award, including, to the extent authorized by law, if an award no longer effectuates the program goals or agency priorities.
- (b) The Federal agency or pass-through entity must clearly and unambiguously specify all termination provisions in the terms and conditions of the Federal award.
- (d) When the Federal award is terminated in part or its entirety, the Federal agency or pass-through entity and recipient or subrecipient remain responsible for compliance with the requirements in [HYPERLINK "https://www.ecfr.gov/current/title-2/section-200.344"] and [HYPERLINK "https://www.ecfr.gov/current/title-2/section-200.345"].

200.344 Closeout.

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- (d) The Federal agency or pass-through entity must not delay payments to the recipient or subrecipient for costs meeting the requirements of [HYPERLINK "https://www.ecfr.gov/current/title-2/part-200/subpart-E"].
- (e) The recipient or subrecipient must promptly refund any unobligated funds that the Federal agency or passthrough entity paid and that are not authorized to be retained. See OMB Circular A-129 and [HYPERLINK "https://www.ecfr.gov/current/title-2/section-200.346"].

- (f) The Federal agency or pass-through entity must make all necessary adjustments to the Federal share of costs after closeout reports are received (for example, to reflect the disallowance of any costs or the deobligation of an unliquidated balance).
- (g) The recipient or subrecipient must account for any property acquired with Federal funds or received from the Federal Government in accordance with [HYPERLINK "https://www.ecfr.gov/current/title-2/section-200.310" | through [HYPERLINK "https://www.ecfr.gov/current/title-2/section-200.316"] and [HYPERLINK "https://www.ecfr.gov/current/title-2/section-200.330"].

200.345 Post-closeout adjustments and continuing responsibilities.

- (a) The closeout of the Federal award does not affect any of the following:
 - (1) The right of the Federal agency or pass-through entity to disallow costs and recover funds on the basis of a later audit or review. However, the Federal agency or pass-through entity must make determinations to disallow costs and notify the recipient or subrecipient within the record retention period.
 - (2) The recipient's or subrecipient's requirement to return funds or right to receive any remaining and available funds as a result of refunds, corrections, final indirect cost rate adjustments (unless the Federal award in closed in accordance with [HYPERLINK "https://www.ecfr.gov/current/title-2/section-200.344" \l "p-200.344(h)"]), or other transactions.
 - (3) The ability of the Federal agency or pass-through entity to make financial adjustments to a previously closed Federal award, such as resolving indirect cost payments and making final payments.
 - (4) Audit requirements in [HYPERLINK "https://www.ecfr.gov/current/title-2/part-200/subpart-F"].
 - (5) Property management and disposition requirements in [HYPERLINK "https://www.ecfr.gov/current/title-2/section-200.310"] through [HYPERLINK "https://www.ecfr.gov/current/title-2/section-200.316"].
 - (6) Records retention as required in [HYPERLINK "https://www.ecfr.gov/current/title-2/section-200.334"] through [HYPERLINK "https://www.ecfr.gov/current/title-2/section-200.337"].

5B - 95338201 - 1

Page 1



U.S. ENVIRONMENTAL PROTECTION AGENCY

Assistance Amendment

GRANT NUMBER (FAIN): 95338 MODIFICATION NUMBER: 1 PROGRAM CODE: 5B	DATE OF AWARD 02/21/2025
TYPE OF ACTION No Cost Amendment	MAILING DATE 02/21/2025
PAYMENT METHOD: ASAP 1126928 ✓	ACH# PEND 36140 ✓

C at: rtpfc-grants@epa.gov

The state of the s	
RECIPIENT TYPE:	Send Payment Request to:
Not for Profit	Contact EPA RTPFC at: rtpf
RECIPIENT:	PAYEE:
ADDAL ACHIANI VOICES	Annalashian Vaisas

APPALACHIAN VOICES

589 West King Street

Boone, NC 28607-3536

EIN: 56-2049956 AV

PROJECT MANAGER	EPA PROJECT OFFICER	EPA GRANT SPECIALIST
Robert Kell 816 Park Avenue NW Norton, VA 24273-1924 Email: robert@appvoices.org Phone: 276-323-5374	Grace Gontarek Four Penn Center, 1600 John F. Kennedy Boulevard, 3EJ20 Email: Gontarek.Grace@epa.gov Phone: 215-814-2759	Celine Vertich 3MD22 Four Penn Center, 1600 John F. Kennedy Boulevard Philadelphia, PA 19103-2852 Email: Vertich.Celine@epa.gov Phone: 215-814-5286

PROJECT TITLE AND EXPLANATION OF CHANGES

Building Community Resilience in Virgina's Coalfields with Place-based Climate Change Adaptation

This amendment is to stop work; terminate the agreement; reduce performance period duration; curtail scope of work; and waive certain reporting requirements. Administrative terms and conditions are added.

Per 2 CFR 200.340 and the Termination General Terms and Conditions of this agreement, EPA is terminating this award. Your organization shall immediately stop work and take all reasonable steps to minimize the incurrence of costs otherwise allocable to the assistance agreement. See terms and conditions.

BUDGET PERIOD	PROJECT PERIOD	TOTAL BUDGET PERIOD COST	TOTAL PROJECT PERIOD COST
02/01/2024 - 02/21/2025	02/01/2024 - <mark>02/21/2025</mark>	\$ 500,000.00	\$ 500,000.00

NOTICE OF AWARD

Based on your Application dated 01/31/2024 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$ 0.00. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$ 500,000.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)	AWARD APPROVA	L OFFICE	
DRGANIZATION / ADDRESS 🗸	NIZATION / ADDRESS ✓ ORGANIZATION / ADDRESS		
U.S. EPA, Region 3, US EPA Region 3, 3MD22 Four Penn Center, 1600 John F. Kennedy Boulevard Philadelphia, PA 19103-2852	R3 - Region 3	Four Penn Center, 1600 John F. Kennedy Boulevard	
THE UNITED STATES OF AMERICA BY	THE U.S. ENVIRONMENTAL PROTECTION AGEN	CY	
Digital signature applied by EPA Award Official Catharine McManus - De	eputy Regional Administrator	DATE 02/21/2025	

STATE STATE OF STATE	OBLIGATED:	
	ASAP:	
OCFO	BP UPDATED: TH	02/24/2025

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 500,000	\$0	\$ 500,000
EPA In-Kind Amount	\$ 0	\$ 0	\$0
Unexpended Prior Year Balance	\$ 0	\$0	\$ 0
Other Federal Funds	\$ 0	\$ 0	\$0
Recipient Contribution	\$ 0	\$ 0	\$ 0
State Contribution	\$ 0	\$0	\$ 0
Local Contribution	\$ 0	\$ 0	\$ 0
Other Contribution	\$ 0	\$ 0	\$ 0
Allowable Project Cost	\$ 500,000	\$ 0	\$ 500,000

Assistance Program	Statutory Authority	Regulatory Authority
66.306 - Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program	Clean Air Act: Sec. 138	2 CFR 200, 2 CFR 1500 and 40 CFR 33

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$ 144,165
2. Fringe Benefits	\$ 30,707
3. Travel	\$ 2,064
4. Equipment	\$0
5. Supplies	\$ 6,800
6. Contractual	\$ 299,356
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$ 483,092
10. Indirect Costs: 0.00 % Base SEE Condition 18 of the Administrative General Terms and Conditions	\$ 16,908
11. Total (Share: Recipient0.00 % Federal100.00 %)	\$ 500,000
12. Total Approved Assistance Amount	\$ 500,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$0
15. Total EPA Amount Awarded To Date	\$ 500,000

Page 39 of 73

Administrative Conditions

UNILATERAL TERMINATION

- 1. The Agency is asserting its right under 2 CFR 200.340 and the Termination General Term and Condition of this agreement to unilaterally terminate this award. This amendment serves as required notice under 2 CFR 200.341.
- 2. Consistent with 2 CFR 200.343 Effect of suspension and termination, costs to the recipient or subrecipient resulting from financial obligations incurred by the recipient or subrecipient after the termination of a Federal award are not allowable. Costs after termination are allowable if:
 - a. The costs result from financial obligations which were properly incurred by the recipient or subrecipient before the effective date of suspension or termination, and not in anticipation of it; and
 - b. The costs would be allowable if the Federal award was not suspended or expired normally at the end of the period of performance in which the termination takes effect.
 - c. The costs are reasonable and necessary termination costs consistent with 2 CFR 200.472.
- 3. Federal Financial Reporting (FFR) General Terms and Conditions is still in full force and effect. EPA recipients must submit the SF-425 no later than 120 calendar days after the end date of the period of performance of the award.
- 4. Programmatic Terms and Conditions. Performance reporting is still in full force and effect. The recipient must submit the final report no later than 120 calendar days after the period of performance.

In accordance with 2 CFR 200.329, the recipient agrees to submit performance reports that include information on each of the following areas:

- a. A comparison of accomplishments to the outputs/outcomes established in the assistance agreement work plan for the reporting period;
- b. Explanations on why established outputs/outcomes were not met; and
- c. Additional information, analysis, and explanation of cost overruns or high-than-expected-unit costs.
- 5. Waiver of Reports

The following reports are waived:

- a. Utilization of Disadvantaged Business Enterprises General Terms and Conditions, EPA Form 5700-52A.
- b. Tangible Personal Property Report, SF-428, General Terms and Conditions.
- 6. Record Retention

Access to Records, 2 CFR 200.337, is still in full force and effect. The termination of this award does not affect the right of EPA to disallow costs and recover funds on the basis of a later audit or other reviews. Information regarding record retention, property disposition in accordance with EPA regulations, and other frequently asked questions can be accessed at https://www.epa.gov/grants/frequent-questions-about-closeouts.

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5B - 95338201 - 1 Page 6

Programmatic Conditions

All Programmatic Conditions Remain the Same



OFFICE OF MISSION SUPPORT

WASHINGTON, D.C. 20460

February 21, 2025

MEMORANDUM

SUBJECT: Termination of EPA Assistance Agreement 5B-95338201 under 2 CFR 200.340

FROM: Catharine McManus

EPA Award Official

McManus, Catharine Digitally signed by McManus, Catharine Date: 2025.02.21

TO: Kate Boyle, Deputy Executive Director

Appalachian Voices

The purpose of this communication is to notify you that the U.S. Environmental Protection Agency (EPA) is hereby terminating Assistance Agreement No. 5B-95338201 awarded to Appalachian Voices. In accordance with 2 CFR 200.340(a)(2) (effective August 13, 2020 – September 30, 2024) and the Termination term and condition contained in the EPA General Terms and Conditions effective August 13, 2020 – September 30, 2024, EPA Assistance Agreement 5B-95338201 is terminated in its entirety effective immediately on the grounds that the award no longer effectuates the program goals or agency priorities. The objectives of the award are no longer consistent with EPA funding priorities.

It is a priority of the EPA to eliminate discrimination in all programs throughout the United States. The EPA Administrator has determined that, per the Agency's obligations to the constitutional and statutory law of the United States, this priority includes ensuring that the Agency's grants do not support programs or organizations that promote or take part in diversity, equity, and inclusion ("DEI") initiatives, "environmental justice" initiatives, and conflict with the Agency's policy of prioritizing merit, fairness, and excellence in performing our statutory functions. In addition to complying with the civil rights laws, it is vital that the Agency assess whether all grant payments are free from fraud, abuse, waste, and duplication, as well as to assess whether current grants are in the best interests of the United States.

The grant specified above provides funding for programs that promote or take part in DEI initiatives or environmental justice initiatives or other initiatives that conflict with the Agency's policy of prioritizing merit, fairness, and excellence in performing our statutory functions; that are not free from fraud, abuse, waste, or duplication; or that otherwise fail to serve the best interests of the United States. The grant is therefore inconsistent with, and no longer effectuates, Agency priorities.

The process for closeout is generally outlined in 2 CFR 200.344. EPA is clarifying what reports are required and what reports are waived below. Other requirements are still in effect if applicable to your grant.

EPA is requiring the following closeout reports due within 120 days of closeout (2 CFR 200.344a:)

- Final Federal Financial Report, SF-425
- Final Technical Report

Entry Number 106-6

Other programmatic reports identified in your terms and conditions

As part of this termination, EPA is waiving the following closeout reports:

- Property Report, SF-428
- Final Minority Business Enterprise/Woman Business Enterprise Utilization Under Federal Grants and Cooperative Agreements, EPA Form 5700-52A

The recipient may request payment from the Automated Standard Application Payments (ASAP) system for allowable costs incurred up to the date of this memo provided that such costs were contained in the approved workplan. Costs incurred by you after this termination are allowable only if (a) those costs were properly incurred by you before the effective date of this termination, and not in anticipation of it; and (b) those costs would be allowable if your federal award was not suspended or expired normally at the end of the period of performance in which the termination takes effect. See 2 C.F.R. § 200.343. You are encouraged to carefully review and discharge your closeout responsibilities set forth in 2 C.F.R. § 200.344-45 and your award agreement. Those responsibilities include, but are not limited to, your obligation to "promptly refund any unobligated funds" that have been paid out but "are not authorized to be retained." See 2 C.F.R. § 200.344(g).

Also, per 2 CFR 200.472, a recipient may use grant funds to properly closeout their grant including reasonable and necessary costs that might occur after the date of this memo. If the recipient drew down funds from ASAP for costs beyond the termination date or for costs that exceed the amount necessary to properly closeout their grant, the recipient must contact RTPFC at rtpfc-grants@epa.gov for instructions on how to return the excess funds.

The EPA Grants Management Office has issued an amendment to the agreement to document the termination.

If you wish to dispute this termination decision, the Disputes Decision Official (DDO), rose.kenneth@epa.gov must receive the Dispute no later than 30 calendar days from the date this termination notice is electronically sent to you. Disputes must be sent electronically by email to the DDO, with a copy to the EPA Award Official, mcmanus.catharine@epa.gov within the 30-day period stated above. The Dispute submitted to the DDO must include: (1) A copy of the disputed Agency Decision; (2) A detailed statement of the specific legal and factual grounds for the Dispute, including copies of any supporting documents; (3) The specific remedy or relief you seek under the Dispute; and (4) The name and contact information, including email address, of your designated point of contact for the Dispute. See 2 CFR 1500.15

The requirements on post-closeout adjustments and continuing responsibilities, including audit and record retention requirements, at 2 CFR 200.345 remain in effect.

ATTACHMENT Amendment Document

cc: Celine Vertich **Grace Gontarek** Robert Kell

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Message

Wright, John [wright.john@epa.gov] From:

Sent: 3/10/2025 6:15:10 PM

To: Boyd, Wyatt [Boyd.Wyatt@epa.gov] Subject: FW: 2025-EPA-04422: FOIA Assignment Attachments: Detail Report_2025-EPA-04422.pdf

Hi Wyatt,

I just received this FOIA from the same requestor that asked for the two memo's you sent me 2 or so weeks ago. The requestor is asking for quite a few documents, many of which are in the IO. I'm thinking I should ask Jay to reassign it to the IO but wanted to check with you first.

Thoughts?

From: Mason, Jay <Mason.Jay@epa.gov> Sent: Monday, March 10, 2025 2:08 PM To: Wright, John <wright.john@epa.gov>

Cc: Kennedy, Chandra < Kennedy. Chandra@epa.gov>

Subject: 2025-EPA-04422: FOIA Assignment

Assignment Details:

Request ID: 2025-EPA-04422

Request Type: FOIA

Requested By: May, Beatrice Requested Date: 03/10/2025

Primary User: OCFO - Advanced Queue

Due Date: 04/07/2025

Track: Simple

Assignment Note:

Request Description:

To Whom It May Concern: Under the Freedom of Information Act, I am writing to request the following records: I would like to request the list mentioned in the EPA Memo from February 4, 2025, titled "Inflation Reduction Act and Infrastructure Investment and Jobs Act Funding Action Pause." I would also like to request all documents and communications referencing that or related to that list. The memo was signed by Acting Chief Financial Officer Gregg Treml. Lek Kadeli, Meshell Jones-Peeler, Paige Hanson, OCFO Senior Managers, Vonda Jennette, Greg Luebbering, Senior Resource Officials, Senior Budget Officers, Regional Comptrollers, and Funds Control Officers were CC'd. The memo states, "Consistent with the Order, the agency's financial system will now enable the obligation of financial assistance. This includes programs within the Infrastructure Investment and Jobs Act and the Inflation Reduction Act, including federal financial assistance in the State and Tribal Assistance Grants, Brownfields, and Superfund. The Office of Budget will follow-up with a detailed list. Additionally, the disbursement of funds connected to this notice will continue." Thank you for your cooperation in this request, and please don't hesitate to contact me directly should you have any questions pertaining to it. I look forward to receiving your response within 20 business days, as required by statute. Beatrice May

U.S. Environmental Protection Agency National FOIA Office, U. S. Environmental Protection Agency 1200 Pennsylvannia, Ave., N.W. Washington, DC 20460

Report Date Time: 3/10/2025 1:56:11 PM

Request Details Report

Request Information:

Reference

Target Date

Request # : 2025-EPA-04422

Action Office : OCFO
Request Type : FOIA
Request Owner : On Behalf Of : Requester Category : Other

Received Mode : Public Access Link (PAL)

: 4/7/2025

Requested Date : 3/10/2025

Original Received Date : 3/10/2025

Received Date : 3/10/2025

Perfected Request : Yes

Disposition Accepted Date :
Delivery Date :
Closed Date :
Original Target Date : 4/7/2025

Estimated Delivery Date : 4/7/2025

Total Days on Hold : 0

Days Remaining : 20

Request Age : 0

Delivery Mode :
Multi-Track Type : Simple

Priority : Normal

Request Status : Assigned

Final Disposition : Discretionary Release Made : No
Discretionary Comments : Discretionary Codes : Denial Authority : Expedite Requested : No
Expedite Status : Expedite Start Date : Expedite End Date : Expedite Description : No
Proof of Identity/Consent Requested : No

Proof of Identity/Consent Received Date

Proof of Identity/Consent Notes

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of Records Posted for Public Inspection : 0

Custom Fields:

Expedited Processing - Environmental Justice Need

Expedite EJ Requested: No

Description of the Request:

To Whom It May Concern:

Under the Freedom of Information Act, I am writing to request the following records:

I would like to request the list mentioned in the EPA Memo from February 4, 2025, titled "Inflation Reduction Act and Infrastructure Investment and Jobs Act Funding Action Pause." I would also like to request all documents and communications referencing that or related to that list.

The memo was signed by Acting Chief Financial Officer Gregg Treml. Lek Kadeli, Meshell Jones-Peeler, Paige Hanson, OCFO Senior Managers, Vonda Jennette, Greg Luebbering, Senior Resource Officials, Senior Budget Officers, Regional Comptrollers, and Funds Control Officers were CC'd. The memo states, "Consistent with the Order, the agency's financial system will now enable the obligation of financial assistance. This includes programs within the Infrastructure Investment and Jobs Act and the Inflation Reduction Act, including federal financial assistance in the State and Tribal Assistance Grants, Brownfields, and Superfund. The Office of Budget will follow-up with a detailed list. Additionally, the disbursement of funds connected to this notice will continue."

Thank you for your cooperation in this request, and please don't hesitate to contact me directly should you have any questions pertaining to it. I look forward to receiving your response within 20 business days, as required by statute.

Beatrice May

Requester Information:

Requester Name : May, Beatrice

Job Title : -

Created Date : 2/7/2025

Requester Login : bmayfoia@gmail.com

Default Category : Other
Organization : 2
Work Phone 1 : Other

Work Phone 2 : Mobile :

Fax : -

E-Mail : bmayfoia@gmail.com

Address:

Address 1 : PO box 65028

Address 2 :

City : Washington
State : District of Columbia
Country : United States
Zip Code : 20036-5303

Billing Address:

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Address 1 : PO box 65028

Address 2 : -

City : Washington

State : District of Columbia
Country : United States
Zip Code : 20036-5303

Shipping Address:

Address 1 : PO box 65028

Address 2 : -

City : Washington

State : District of Columbia
Country : United States
Zip Code : 20036-5303

Action History:

Action	Comment	Action Taken By	Action Date/Time
Assigned		Halpern, Simon	3/10/2025 12:56:35 PM
Transfer Request	Request '2025-EPA-04422' transfer from 'NFO ' to 'OCFO' with notes: ' assign to OCFO'	Halpern, Simon	3/10/2025 12:55:43 PM
Correspondence	Sent correspondence letter of type Request with subject 'Acknowledgement Letter - EPA FOIA Request 2025-EPA- 04422' for the request '2025-EPA-04422' to the following email address(es) bmayfoia@gmail.com	Halpern, Simon	3/10/2025 12:55:33 PM
[Assign Request]:Note- New	Intake-Review and assign to OCFO	Johnson, Larry	3/10/2025 12:04:44 PM
Assigned		Johnson, Larry	3/10/2025 12:04:44 PM
Perfected	Request is marked as Auto Perfected upon receiving.	Admin, System Administrator	3/10/2025 10:42:33 AM
Assigned		Admin, System Administrator	3/10/2025 10:42:33 AM
Received	Request '2025-EPA-04422' is received via Sync Service	Admin, System Administrator	3/10/2025 10:42:33 AM

Assign:

Assigned By	Assigned Date	Assigned To (User/Group)	Action Office	Comments	Request Status
Halpern, Simon	3/10/2025 1:56:35 PM	Queue, OCFO - Advanced (Primary)	OCFO	-	Assigned
Johnson, Larry	3/10/2025 1:04:44 PM	Halpern, Simon	NFO	Intake-Review and assign to OCFO	Received
Admin, System Administrator	3/10/2025 11:42:33 AM	Admin, System Administrator	NFO	-	Received

Link Requests:

Request #	Request Type	Requester Name	Primary User	Received Date	Target Date	Request Status	
	No link requests found .						

Extension:

ID	Reason for Extension	Days	New Target Date	Approval/Denial Date	Completed Date	Extension Status	Extension Note	Approval/Denial Note	Completion Note
	No Extensions found.								

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FOIA Documents Details (in Request Folder):

File Cabinet Drawer	Folder Name	Disposition	Layer Name	No. of Pages	Date Added	Redaction Codes	Document Review Status
No folders have been added to this request.							

FOIA Documents Details (in Review Log):

File Cabinet Drawer Folder Name	Disposition	Comments	No. of Pages	Date Added	Redaction Codes	
No folders have been added to this request.						

Page Details:

# of pages attached to request folder	: 0
# of pages attached to request folder with partial redactions	: 0
# of pages attached to request folder with full redactions	: 0
# of pages attached to request folder without redactions	: 0
# of documents delivered	: 0
# of pages reviewed	: 0
# of pages delivered	: 0

Partially Applied Redaction Code Details:

Redaction Code	Description	No. of Pages Used
No Page with partial redactions was added to this request.		

Fully Applied Redaction Code Details:

Redaction Code	Description	No. of Pages Used

Manually - Partially Applied Redaction Code Details:

F	Redaction Code	Description			
	No partially applied redaction code details found.				

Manually - Fully Applied Redaction Code Details:

Redaction Code	Description	
	No fully applied redaction code details found.	

Manually Applied - Other Redaction Code Details:

Redaction Code	Description			
No other applied redaction code details found.				

Fee Details:

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Payment Status : No Charges Last Invoice Amount : \$ 0.00 Last Invoice Number Last Invoice Date : -Pre-Payment Amount : \$ 0.00 Total Invoiced : \$ 0.00 Cost Estimated : \$ 0.00 Cost Not Charged by the Agency : \$ 0.00 Total Amount Paid : \$ 0.00 Balance Due : \$ 0.00 **Total Refund Amount** : \$ 0.00 Amount Requester Willing to Pay : \$ 0.00 Fee Waiver Requested : No Fee Waiver Status : Fee Waiver Not Requested Fee Waiver Start Date Fee Waiver End Date Willing to Pay All Fees : No Adjudicate Days (Fee Waiver) : 0

Fee Details Description:

Fee Items	Charge Type	Unit Rate (\$)	Quantity	Extended Value (\$)			
No Fee Details have been Found for this Request.							

Work Hours (Record Search Processing Costs):

Program Office	Created By	Rate	Hours	Total Cost	Comments		
No Record Search Processing Cost details found .							

Work Hours (Staff Processing Costs):

User Name	Activity	Created By	Rate	Hours	Total Cost	Comments	
No staff processing cost details found.							

Transfer Details:

Transfer To	Transfer By	Transfer Date	Comment
OCFO	Halpern, Simon	3/10/2025	assign to OCFO

Correspondence Log:

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Subject	File Name	User	Status	Mode	E-mail	Dispatched Date	Action Date
Acknowledgemen t Letter - EPA FOIA Request 2025-EPA-04422		Halpern, Simon	Sent (no attachment)	E-mail	bmayfoia@gmail.com	3/10/2025	3/10/2025 12:55:09 PM
Receipt of EPA National FOIA Office FOIA Request		Admin, System Administrator	Sent	Public Access Link (PAL)	Sent From PAL To (bmayfoia@gmail.com)	3/10/2025	3/10/2025 10:42:36 AM
Status Update for Request #2025- EPA-04422		Admin, System Administrator	Sent	Public Access Link (PAL)	Sent From PAL To (bmayfoia@gmail.com)	3/10/2025	3/10/2025 10:42:36 AM
Request Description (Form)	PAL Request Form.pdf	Admin, System Administrator	Received	Public Access Link (PAL)			3/10/2025 10:42:34 AM
Request Description (Attachment)	Update on IIJA and IRA Pause_FINAL_2- 4-2025.pdf	Admin, System Administrator	Received	Public Access Link (PAL)			3/10/2025 10:42:34 AM

Consultation Review Log:

Review ID	Location(s) Referred	Sent By	Request Date	Due Date	Imported Date	Status
No consultation review log records found.						

Requests For Documents:

ID	Location(s) Referred	Request Date	Due Date	Status	Sent By	
No Request for Documents log details found.						

Document Delivery log:

No document delivery log details found.									

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Message

From: EPA Press [EPAPress@govdelivery.epa.gov]

Sent: 3/10/2025 9:18:18 PM

To: Boyd, Wyatt [Boyd.Wyatt@epa.gov]

Subject: EPA Administrator Lee Zeldin Cancels 400+ Grants in 4th Round of Cuts with DOGE, Saving Americans More than

\$1.7B

View as a webpage / Share

EPA.GOV/NEWSROOM

EPA Administrator Lee Zeldin Cancels 400+ Grants in 4th Round of Cuts with DOGE, Saving Americans More than \$1.7B

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Lee Zeldin, with the assistance of the Department of Government Efficiency (DOGE), identified and cancelled more than 400 additional grants across nine unnecessary programs totaling \$1.7 billion in savings for the American people. This marks the fourth round of EPA-DOGE partnered cancellations as the Administrator oversees a line-by-line review of spending, bringing the total taxpayer dollars saved to more than \$2 billion since being sworn in.

"Working hand-in-hand with DOGE to rein in wasteful federal spending, EPA has saved more than \$2 billion in taxpayer money," said EPA Administrator Zeldin. "It is our commitment at EPA to be exceptional stewards of tax dollars."

Administrator Zeldin has been working with other agencies to establish accountability and oversight regarding \$20 billion parked at a financial institution by the Biden-Harris Administration in a rushed effort to obligate money with reduced oversight. The Justice Department and Federal Bureau of Investigation are investigating and the money is currently frozen by the financial institution. Further, Administrator Zeldin cancelled grants and contracts related to DEI and environmental justice in the first round of spending cuts, terminated a \$50 million Biden-era environmental justice grant to the Climate Justice Alliance that believes "Climate Justice travels through a Free Palestine", and ended more than one million dollars in media subscriptions.

In the <u>second round</u> of spending cuts with DOGE, EPA identified and cancelled an additional 20 grants totaling \$60,958,537.30 in taxpayer savings. In the third round of

spending cuts, EPA identified and cancelled 21 grants amounting to \$116,449,761 total immediate taxpayer savings.

EPA continues to work diligently to implement President Trump's executive orders.

EPA.GOV

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This email was sent to boyd.wyatt@epa.gov using govDelivery Communications Cloud on behalf of: EPA Office of the Administrator 1200 Pennsylvania Ave NW, Washington, DC 20460





Date Filed 04/21/25 Entry Number 106-6

Message

From: Winstead, India [Winstead.India@epa.gov]

Sent: 3/12/2025 8:28:27 PM

To: Boyd, Wyatt [Boyd.Wyatt@epa.gov]

2:25-cv-02152-RMG

CC: Wright, John [wright.john@epa.gov]; Pollak, Taylor [Pollak.Taylor@epa.gov]

Subject: FW: FY25 American Relief Act AoA - Routing for Approval (LAHedits)

Attachments: MEMO 2025 ARA Advice of Allowance.docx; FY 2025 ARA AOA - Attachment A.pdf; 2025 Payroll Reprogramming

Form Attachment B.pdf; 12Template_Workcode - Attachment C.xlsx; ARA PCA Workcode Guidance.pdf;

Routing_Slip_FY2025 ARA Disaster Supplemental Advice of Allowance Letter.pdf; 2025 Payroll Reprogramming Form

Page 53 of 73

Attachment B.pdf

Hi Wyatt:

For your review and signature. What category would this request go under? Is it a Reporting Requirement?

Thank you.

From: Henry, Latonya <Henry.Latonya@epa.gov> Sent: Wednesday, March 12, 2025 4:05 PM To: Winstead, India <Winstead.India@epa.gov>

Cc: Mason, Judy <Mason.Judy@epa.gov>; Lane, Gary <Lane.Gary@epa.gov>; Wright, John <wright.john@epa.gov>

Subject: RE: FY25 American Relief Act AoA - Routing for Approval (LAHedits)

Signed.

- Package includes: Memo, Attachments A, B, and C; and PCA Workcode Guidance
- Sections were coordinated with RPOD, OC, OGD, etc.
- See Memo comment on DOGE; if it should be added please add it

From: Mason, Judy <<u>Mason.Judy@epa.gov</u>>
Sent: Wednesday, March 12, 2025 3:15 PM
To: Henry, Latonya <<u>Henry.Latonya@epa.gov</u>>

Cc: Lane, Gary < Lane. Gary@epa.gov>

Subject: RE: FY25 American Relief Act AoA - Routing for Approval (LAHedits)

Hi Latonya,

Please see attached for your review.

Judy Mason Budget Analyst, Office of Budget Budget Execution Control Division HQ Washington, DC

From: Henry, Latonya < Henry.Latonya@epa.gov > Sent: Wednesday, March 12, 2025 1:19 PM
To: Mason, Judy < Mason.Judy@epa.gov >

Cc: Lane, Gary < Lane. Gary@epa.gov>

Subject: RE: FY25 American Relief Act AoA - Routing for Approval (LAHedits)

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Judy,

- I made several minor grammar edits in Memo and this file reflects them (I didn't do Track changes because it would have been too messy)
- I did not make any content changes
- Address Comments; start resolving as many of them as best you can (some can be easily addressed)
- Some may make more sense when we talk
- I will setup a meeting to discuss later this afternoon
- The DOGE comment will be addressed by Angel when it's routed

Thanks.

Latonya A. Henry

Director, Budget Execution and Control Division (BECD) Office of the Chief Financial Officer | Office of Budget

Email: henry.latonya@epa.gov

Office: 202-564-0596; 202-993-4997 cell

From: Lane, Gary <<u>Lane.Gary@epa.gov</u>>
Sent: Tuesday, March 11, 2025 4:44 PM
To: Henry, Latonya <<u>Henry.Latonya@epa.gov</u>>

Cc: Mason, Judy < Mason.Judy@epa.gov>

Subject: FW: FY25 American Relief Act AoA - Routing for Approval

Hi Latonya – See attached ARA memo with attachments for your review.

From: Mason, Judy < Mason.Judy@epa.gov > Sent: Tuesday, March 4, 2025 5:01 PM
To: Lane, Gary < Lane.Gary@epa.gov >

Subject: FY25 American Relief Act AoA - Routing for Approval

Good afternoon, Gary

Please see attached for your review.

- ARA AoA
- Attachments A-C
- PCA Work code Guidance
- Work code Template

Please let me know if you have any questions.

Judy Mason Budget Analyst, Office of Budget Budget Execution Control Division HQ Washington, DC



OFFICE OF THE CHIEF FINANCIAL OFFICER

WASHINGTON, D.C. 20460

[DATE \@ "MMMM d, yyyy"]

MEMORANDUM

SUBJECT: American Relief Act (ARA) of 2025 Disaster Supplemental Advice of Allowance (AoA)

FROM: Angel Robinson, Director

Office of Budget

TO: Senior Budget Officers

Regional Comptrollers Senior Resource Officers

*** PLEASE DISTRIBUTE TO APPROPRIATE STAFF ***

This memorandum provides guidance for EPA's implementation of the American Relief Act, 2025 (ARA) (Public Law 118-83), that President Biden signed into law on December 20, 2024. The ARA appropriated approximately \$3.267 billion to assist with the response to recent natural disasters across the Nation. This funding is available until expended and will support various disaster recovery and resilience efforts related to hurricanes Helene, Milton, Hilary, and the wildfires in Maui. As with previous supplemental appropriations, we anticipate close and continued review from the OIG, GAO, OMB, and Congress to ensure that these funds are used effectively, efficiently, and as intended under the law. It is the responsibility of Senior Resource Officers and Senior Budget Officers to ensure that Agency funds are spent in a legal and appropriate manner.

The FY 2025 allocations are based on requests developed by National Program Managers (NPMs) within the strict controls established in the law. The Operating Plan includes approximately \$3.266 billion for lead offices (OW, OLEM, and OAR), \$1 million for enabling and mission support offices (OCFO, OMS, and OGC) and a total of 49.7 FTE. The majority of programmatic and mission support FTE will be allocated to regional offices to support on the ground disaster recovery and resilience activities.

This document and other ARA guidances will be posted on the Office of Budget (OB) SharePoint ([HYPERLINK

"https://usepa.sharepoint.com/sites/OCFO_Work/control_team/Shared%20Documents/Form s/AllItems.aspx?viewpath=%2Fsites%2FOCFO%5FWork%2Fcontrol%5Fteam%2FShared%20Documents&id=%2Fsites%2FOCFO%5FWork%2Fcontrol%5Fteam%2FShared%20Documents%2FAdvice%2 0of%20Allowance%20%28AoA%29%20Guidance&viewid=5ddcbfc8%2Dc117%2D4497%2Db7ba%2D 49c95fe56d02&OR=Teams%2DHL&CT=1692105066138&clickparams=eyJBcHBOYW1lljoiVGVhbX

Commented [LH1]: Should we also say DOGE?

MtRGVza3RvcClslkFwcFZlcnNpb24iOilyNy8yMzA3MDMwNzM0Nilslkhhc0ZlZGVyYXRlZFVzZXIiOnR ydWV9"]) to help the community track and locate guidances. If you have access issues, please contact Judy Mason at mason.judy@epa.gov.

Funding Levels

The ARA disaster supplemental provides funding for several EPA programs to assist with the response to recent natural disasters across the Nation. ARA provides the EPA \$3.267 billion. This funding is distributed as follows:

State and Tribal Assistance Grants: \$3.250 billion for STAG and Loans

State and Tribal Assistance Grants (STAG) and Loans	Amount \$ in Millions
Resilient Drinking Water Infrastructure	1,770
Resilient Infrastructure	1,230
Hazardous Waste Financial Assistance Grants Program	95
Funding for decentralized Wastewater System	85
Drinking Water and Clean Waster Technical Assistance	60
Replace Damaged Air Monitoring Equipment	10
Total STAG	3,250

Leaking Underground Storage Tank: \$17 million to assess and clean up LUST release at facilities impacted by Hurricane Helene and Hurricane Hilary.

Leaking Underground Storage Tanks (LUST)	Amount \$ In Millions		
Assess and Remediate Underground Storage Tanks	17		
Total LUST	17		

Time, Period, and General Requirements

Availability of ARA Disaster Supplemental Funds

STAG and LUST funds are available for obligation until expended.

Carryover and Recertification

Like other the agency disaster supplemental No-Year funds, ARA will not be subject to the recertification process. These funds will be subject to the carryover processes normally used for EPA No-Year funds after the first 2 years of availability (FY 2027).

Travel Ceiling

There is no travel ceiling for ARA funds. Offices may move funds into or out of travel BOC 21 based on the actual realized need in support of the work.

Budget Load in Compass

2:25-cv-02152-RMG

ARA funds have been loaded into Compass with the appropriate accounting information. Budget Formulation System (BFS) version $\underline{8.0\ 2025\ ENA\ 7.0}$ provides the final information used for the budget load.

ARA Disaster Supplemental Charging and Program Integrity

EPA must ensure the transparency, accountability, and proper use of funds in ARA resource execution. All Responsible Planning Implementation Officers (RPIOs) using ARA funds must make sure to align all charging with the work performed and all funds are used consistently with the time, purpose, and amounts for that ARA line item as stipulated in the appropriation bill language. As with previous supplementals, OB established RPIO Activity Codes to track each ARA line item and specific fund codes to track ARA funds within the overall LUST and STAG appropriations. In addition, all ARA obligations and outlays will be tagged in Compass with the Disaster Emergency Fund Code (DEFC) code "AAK".

Attachments A and B detail the ARA fund codes and RPIO activity codes used to control, track, and execute the ARA funds and FTE. Offices may not mix ARA funds in reporting or execution with other sources of funding and resources must be tracked separately with the applicable codes. With no exceptions, ARA funds may not be "tapped" for needs outside those covered under the law and as determined in developing the spend plan. Further, indirect enabling support work should use indirect cost allocations, and direct work should use direct charging as appropriate.

ARA Disaster Supplemental Administrative Funds and Set Asides

In FY 2025, the EPA will execute the \$9.5 million in administrative set-asides for all programs in the appropriation accounts enacted in the law. The ARA establishes many administrative ceilings that all RPIOs must monitor closely to ensure they do not exceed.

In the budget and financial system, each administrative ceiling is captured at the fund code level, denoting that it is a fixed amount that cannot be exceeded under the law. It is critically important that all RPIOs pay close attention to the coding, tracking and execution of administrative funds. The Agency will be closely monitoring the use of these funds, and we expect a lot of scrutiny on the use of administrative funds. Further details are included in Attachment A on this coding. If you have questions on the control of administrative amounts in ARA disaster supplemental, please reach out to [HYPERLINK "mailto:OCFO-BudgetExecution@epa.gov"] or CJ Monson Monson.CJ@epa.gov in the Office of Budget.

Management and Oversight Program Project

Program Project

The administration of ARA funds requires mission support functions across programs, such as human resources, grants administration, financial management, or legal advice. The agency established a Management and Oversight program project (code MM) to clearly track, execute, and report on enabling support work of OMS, OCFO, and OGC. Since the ARA appropriation includes explicit administrative amounts for specific purposes, the agency will continue to track and control, for each purpose, with a unique RPIO activity code identifier included in the program results code of all PRCs in **Attachment A.**

Management & Oversight (M&O) Charging

M&O funds may be used for: payroll, travel, working capital fund, and extramural needs.

Payroll Charging for ARA Disaster Supplemental

Offices Must Strictly Manage Payroll in ARA

ARA funds are not like EPA's annual appropriation and have complex controls that offices must pay close attention to. As always, it is the responsibility of all National Program Managers (NPMs) and RPIOs using ARA funds to ensure that allocations in Payroll Cost Allocation (PCA) work codes align with the work being performed as allowable under the law and that FTE ceilings specified in the ARA Operating Plan are strictly adhered to. It is the responsibility of all EPA employees who perform ARA work to accurately report their hours using these codes.

Given the administrative controls established in the law, OCFO will not have the ability to reprogram funds across administrative amounts. Offices must closely monitor their payroll obligations. Please reach out to the Office of Budget Payroll Team [HYPERLINK "mailto:OCFO_OB_Payroll@epa.gov"] if you have any questions.

Payroll Dashboard

The Payroll [HYPERLINK "https://qlikviz.epa.gov/extensions/Payroll_Reporting/Payroll_Reporting.html?sheet=overview"] is a tool OCFO has made available to support offices in managing their FTE, payroll, and non-payroll expenditures hitting payroll (BOC 10). The Dashboard was updated to report ARA Disaster Supplemental data. All resource management staff are strongly encouraged to routinely use the dashboard to monitor FTE and payroll utilization compared to budget authority. The tool automatically projects cumulative utilization for the entire fiscal year and shows projected surpluses or deficits. RPIOs can also add specific local knowledge at the work code level and enrichment/attrition factors. Lastly, OCFO encourages programs to regularly review their budget status of funds and payroll expenditures in the Financial Dashboard.

Monthly Payroll Reviews

OB will hold monthly meetings throughout FY 2025 with each RPIO to jointly review payroll and FTE data. This will be facilitated through the payroll dashboard. OB will highlight any budget lines projected to exceed authority and ask offices for their plans to manage the situation, including how the RPIO will cover their projected pay deficits. We continue to appreciate the strong partnership between OCFO and the payroll community to identify concerns and resolve them timely and appropriately.

Payroll Cost Accounting (PCA) Work Codes for the ARA

Refer to the "Guidance on Establishment and Use of Payroll Cost Allocation (PCA) Work Codes for FY 2025 American Relief Act (ARA) Disaster Supplemental" on the establishment and use of PCA work codes that OB provided to the community on February 10, 2025. If you need a copy or have questions, please reach out to [HYPERLINK "file:///\\W18H1N-OCFOEC01.AA.AD.EPA.GOV\\BUDSHARE01\\BUDSHARE01\\BUDSHARE\\BFC\\CONTROL\\Advice%20of%20Allowance%20Mem o\\FY%202025\\FY%202025\$20ARA%20AOA\\Working%20Copy\\OCFO_OB_Payroll@epa.gov"]. Use the

latest Work Code template Attachment C when submitting ARA work codes to [HYPERLINK "mailto:OCFO_OB_Payroll@epa.gov"].

Contact the OCFO OB Payroll email group with any questions or requests related to ARA work codes.

Reporting Requirements

We can anticipate there will be scrutiny on ARA funds, making it essential for all to assure that all funds are correctly coded and tracked. Although OMB has not finalized ARA tracking and reporting guidance, we anticipate we must prepare for extensive and frequent (possibly weekly) Congressional, OMB, public inquiries and other requests for ARA financial and programmatic information. We must also track and closely monitor ARA funds to ensure the Agency meets all the ARA statutory, Anti-deficiency Act, and related requirements. OCFO will work with OGC and OMS to update reporting requirements guidance when OMB updates guidance, or when Congress and other stakeholders request reports.

Grants and Inter-Agency Agreements (IAs)

The Agency's Grants Competition Advocate has provided impacted offices separate guidance on ARA competition issues affecting the competitive DERA and Brownfields programs. The Office of Grants and Debarment (OGD) will provide support to Agency program and grant offices on awarding financial assistance agreements (grants) and Interagency Agreements (IA) using ARA funding.

OGD is planning to issue additional guidance on awarding financial assistance agreements, including the use of multiple appropriations on a single award, and will communicate any additional guidance from OMB. OGD will be available to provide support to Agency offices as needed on ARA financial assistance agreement issues including development of new programs, competition design and solicitation development and review, reporting, and any other issues that materialize.

Workforce Support and Working Capital Fund (WCF)

Ensuring that all programs budget adequate workforce support costs is a priority for the Office of Budget. There are new FTE added to implement the ARA. In the recent BFS data entry, programs were to ensure adequate funding for Working Capital Fund (WCF) (BOC 38) of at least \$10.7K per headquarters FTE and \$8.7K per regional FTE and this is expected to be maintained in budget execution and in outyears.

The Office of Budget recommends that program offices establish separate WCF service agreements for ARA Disaster Supplemental FTE to better track infrastructure funds. FTE charging 100% of their time to ARA Disaster Supplemental should be moved to separate service agreements that will be funded solely with ARA Disaster Supplemental funds. If offices have employees spending some time supporting regular

Commented [LH2]: Should we add DOGE?

work and some on ARA work, the FTE may remain on the already established workforce support service agreements, but offices should ensure that the percentage of time charged to ARA is equal to the percentage of funding provided for their desktop services. It is recommended to estimate the cost of desktop services based on the allocated FTEs in both base appropriations and ARA under an organization for a full year. If you have any questions regarding this information, please contact Scott B. Moore at Moore.ScottB@epa.gov or (919) 541-2978 or Fran Lominack at Lominack.Fran@epa.gov or (919) 541-5440 or Andrew Cardenas (202-564-0352 or [HYPERLINK "mailto:Cardenas.Andrew@epa.gov"]) if you need assistance.

Reprogramming ARA Disaster Supplemental Funds

Pavrol

ARA funds are not like EPA's annual appropriation and have significantly more complex controls that offices must pay close attention to. As established in the ARA, only administrative set asides may be used for "salaries, expenses and administration." All administrative ceilings are controlled in the Budget Formulation and Compass financial systems using unique coded (A" at end of fund code).

ARA reprogrammings that cross RPIO activity codes, or fund codes **will not** be allowed. ARA reprogramming will not be processed in BFS as part of the Congressional Reprogramming Process. Unlike annual appropriations, the ARA Disaster Supplemental statute did not contain any provision permitting reprogrammings between line items.

RPIOs may request approval to transfer payroll funds (BOC 10) to other RPIOs. Please submit an Attachment G Payroll Reprogramming Request Form provided in **Attachment B** to your Budget Execution and Control Division (BECD) Analyst if you plan to move payroll to another RPIO. RPIOs are expected to carefully manage pay and FTE utilization. OB will not provide additional pay for RPIOs if actual ARA pay needs are greater than the amounts estimated. NPM and lead region coordination is expected on these requests.

As always, it is the responsibility of all NPMs and RPIOs using ARA funds to ensure that the allocations in Payroll Cost Allocation (PCA) work codes align with the work being performed as allowable under the law and are strictly adhered to. It is the responsibility of all EPA employees who perform ARA work to accurately report their hours using these codes.

Non-Payroll

ARA reprogrammings that cross RPIO activity codes, or fund codes **will not** be allowed. RPIOs may reprogram across non-payroll BOCs. RPIOs may reprogram available non-pay to resolve ARA Disaster Supplemental defactos.

<u>Defactos</u>

A defacto occurs when an RPIO obligates funds in excess of the budget authority in a specific Program Area, Program Project, Sub-Program Project or BOC. Defactos are a serious issue, and the ARA establishes many administrative ceilings that all RPIO's must monitor closely to ensure they do not exceed.

It is the responsibility of all NPMs and RPIOs using ARA funds to ensure that the allocations in Payroll Cost Allocation (PCA) Work Codes align with the work being performed as allowable under the law and payroll available. If actual ARA Disaster Supplemental pay needs are greater than the amounts estimated, offices must be prepared to shift ARA Disaster Supplemental non-pay into ARA pay, abiding by all administrative ceilings, to cover shortfalls.

Split Funding / Multiple Appropriations

"Split funding," generally, is the use of more than one appropriation available for different purposes on a single obligating document. EPA has different policies and procedures in place for split funding (i) procurement obligations, (ii) grant obligations, (iii) interagency agreement obligations, and (iv) payroll obligations. Each of these policies and procedures is designed to ensure compliance with the Purpose Statute, 31 U.S.C. 1301(a), by either (1) requiring all appropriations used to be legally available for all activities funded by an obligating document, or (2) requiring program officials to develop a rationale for what percentage of the obligation's cost will be charged to each appropriation in accordance with the programmatic benefit each appropriation receives from the activity being performed. Procedures for processing obligations using multiple appropriations for contracts and grants are below.

Contracts

All program offices and Contracting Officers have a responsibility to ensure the OCFO, Office of the Controller reviews and approves the use of split-funding with multiple appropriations prior to awarding a single procurement obligation which maybe (1) a contract when the contract itself is operating as the obligating document, the award of which requires the contractor to begin providing the goods or services, (2) a task order in the case of an Indefinite Delivery Indefinite Quantity (IDIQ) contract; or (3) a delivery order or call order in the case of a Blanket Purchase Agreement (BPA). There will be a substantial increase in multiple appropriation request with ARA Disaster Supplemental funds, so it is critical to ensure requests are properly adjudicated and documented.

[H	IYPERLINK "I	nttps://wor	k.epa.gov/ag	ency-dire	ctives/dire	ectives/2520-ti	1-split-fu	nding-multiple-
appropria	ations"] contains	split fund	ding policie	s and th	ne proced	lures to obta	ain OCF	O approval is
available	in [HYPERLINK	"https://wo	ork.epa.gov/a	agency-di	rectives/di	irectives/2520	-p4-stan	dard-operating-
guidance	-and-procedures-m	nultiple"] a	nd funding r	equests	are to be	sent to the C	office of	the Controller
for	approval	by	submitting	а	cc	mpleted	[HYPERLINK
	usepa.sharepoint.c			_				•
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d%2FSha	red%20Documents	&p=true&c	t=172495001	L7341∨	=Outlook%	%2DBody&cid=	BD059F	1A%2DF168%2
D46DD%2	2D9B43%2D0D917	2E488B5&g	;a=1"]	using	the	[HYPERLINK

Entry Number 106-6

"https://usepa.sharepoint.com/sites/OCFO_Work/OFM_FPPS/ptad/Lists/Multiple%20Appropriations%20Req uest%20Tracker/AllItems.aspx"]. Offices can email any questions and requests to access the Multiple Appropriations Request Tool to [HYPERLINK "mailto:ocfo_financial_policy@epa.gov"].

"https://work.epa.gov/agency-directives/directives/2520-t1-split-funding-multipleappropriations"] contains split funding policies for non-supplemental and certain supplemental appropriations (e.g., ARPA, IIJA, IRA, ARA), tools to determine whether requests need to be submitted and the process to submit.

All offices must ensure that the time, purpose, and amounts of obligated resources align with available appropriations. Offices are to use ARA resources where performing work provided for under the law. Given the complexity of reporting and execution, offices are encouraged to evaluate if requesting split funding is appropriate. Offices may not enter contract actions using split funding without prior approval from OCFO and the Office of Mission Support (OMS) who will be carefully reviewing all funding actions to ensure appropriate approval.

email [HYPERLINK If you have any questions about this request. please "mailto:ocfo_financial_policy@epa.gov"].

Grants

Per EPA Order 5730.2, the policy is generally to use only one appropriation as the funding source for an assistance project. (The term "grant" is understood to include grants and cooperative agreements.)

Where a project's activities benefit more than one appropriation, the Agency should award separate grants for the activities falling within the scope of each appropriation. However, a single, multiple appropriation grant may be awarded, with adequate justification documented in the Funding Recommendation, and on an exception basis, if all of a project's activities are of a type that is fundable from all the supporting appropriations. Separate grants must be awarded if all the supporting appropriations are not legally, available for all of the types of activities to be performed. In awarding and administering separate grants, the Agency will work to minimize application, accounting and reporting burdens on recipients.

As part of the justification for a multiple appropriation grant, the Project Officer must submit a description of the methodology for charging payments that reflects the proportional benefit to each appropriation. OCFO will provide additional guidance on when ARA funds may be used in conjunction with annual appropriations and other funds on grants and IAs after OMB updates relevant guidance. The ability to separately track and report on utilization and identify results from the use of ARA funds should be clearly addressed in the justification.

State Grants and LUST Cooperative Agreements

To ensure the Agency can continue to track state grant spending properly and produce the Budget Information for States report, all ARA spending transactions must have a State Code identifier in the organization field. In addition, offices should track the LUST Cleanup and Prevention assistance agreements by state.

Attachments (3):

- A. FY 2025 -ARA Appropriation (Fund) Codes and Treasury Symbols and FY 2025 ARA RPIO **Activity Codes**
- B. FY 2025 Payroll Reprogramming Form
- C. Work Code Template

cc: Meshell Jones-Peeler

Adil Gulamali

Dany Lavergne

Stefan Martiyan

John Hall

Noha Gaber

Wyatt Boyd

Latonya Henry

Gary Lane

Lili Wang

Gul Beg

Sylvana Li Michael Osinski

Kenneth Sylvester

Pamela Legare

Joan B. Rogers

Kimberly Patrick

Jessica Durand

Regional Budget Officers

Senor Budget Office Staff

Funds Control Officers

FY 2025 American Relief Act Disaster Supplemental Appropriation (Fund) Codes and Treasury Symbols

Appropriation Code	Title	BBFY	EBFY	Treasury Symbol
	State and Tribal Assistance Grants (STAG) Categorical Grants		e e	
E1SK	STAG Categorical Grants	2025	-	068X0103
E1SKA	STAG ARA Disaster Supplemental Admin	2025		068X0103
E2SK	CWSRF - ARA Disaster Supplemental	2025		068X0103
E2SKA	CWSRF - ARA Disaster Supplemental Admin	2025		068X0103
E3SK	DWSRF - ARA Disaster Supplemental	2025		068X0103
E3SKA	DWSRF - ARA Disaster Supplemental Admin	2025		068X0103
	State and Tribal Assistance Grants (STAG) Special Projects			
E4SK	STAG Special Projects ARA	2025		068X0103
E4SKA	STAG Special Projects ARA Admin	2025		068X0103
	Leaking Underground Storage Tanks (LUST)			
FSK	LUST - ARA Disaster Supplemental	2025		68-068X8153

	Fund Code Schema									
1st - 2nd Digit:	1 st - 2 nd Digit: Normal Fund Code									
S	Supplemental									
K	American Relief Act									
Α	Admin									

American Relief Act Disaster Supplemental RPIO Activity Code List

RPIO Activity Code	RPIO Activity Code Title	Support Program Project
BU	CWSRF Resilient Infrastructure Funding	MM
FC	Decentralized Wastewater Systems	MM
TC	Water Emergencies for DWSRF and CWSRF	MM
TE	Damaged Air Monitoring Equipment	MM
TU	DWSRF Resilient Infrastructure Funding	MM
TW	HAZMAT and Debris Management	MM
TZ	Assess and Remediate USTs	MM

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Message

From: Lominack, William [Lominack.William@epa.gov]

Sent: 2/25/2025 7:24:28 PM

To: Plastino, Michael [Plastino.Michael@epa.gov]; Knipes, Harlan [knipes.harlan@epa.gov]; Cuilla, Michelle

[Cuilla.Michelle@epa.gov]; AnthonyJMoraz [anthony.moraz@gsa.gov]; kent.taylor@gsa.gov; Newman, Michelle

[Newman.Michelle@epa.gov]

CC: Shih, Melissa [Shih.Melissa@epa.gov]; Best-Wong, Benita [Best-Wong.Benita@epa.gov]; DeRycke, Kevin

[DeRycke.Kevin@epa.gov]; Boyd, Wyatt [Boyd.Wyatt@epa.gov]

Subject: RE: Ability to resume using IIJA funds on MAINES contract for DW-SFTIES Transition Support

Attachments: RE: Updated Guidance on use of IRA and IIJA funding under DP and the WCF

Good afternoon,

After review, work under these three funding sources can resume based on the attached OFCO list and guidance issued for the DW-SFTIES Transition work.

Drinking Water State Revolving Loan Funds	E3SD/A	70
Drinking Water State Revolving Loan Funds - Emerging Contaminants	E3SD/A	72
Drinking Water State Revolving Loan Funds - Lead Service Line Replacement	E3SD/A	71

Benita,

As the OW SRO, please acknowledge that my statement above is correct and that you approve for these funding sources to be used for the DW-SFTIES work.

Harlan/Michelle X2/Tony,

Please "unpause" any DW-SFTIES registrations tied to the above funding sources and WCF service agreements. Please work with the customer as needed to ID/confirm the registrations if needed.

Thanks for everyone's patience.

v/r

Will

From: Plastino, Michael <Plastino.Michael@epa.gov>

Sent: Friday, February 21, 2025 1:18 PM

To: Lominack, William < Lominack. William@epa.gov>

Subject: FW: Ability to resume using IIJA funds on MAINES contract for DW-SFTIES Transition Support

Hi Will,

In her below email, Mel, OW's budget officer, confirmed that the RPIO Activity Code we're using for the DW-SFTIES Transition work (70) is in your excel file – and appropriate for resuming work.

I see you're OOO today. On Monday morning, can you please confirm that we are good to resume work for DW-SFTIES Transition?

Thanks very much,

Michael

Michael Plastino

Drinking Water Information Systems Branch Supervisor

EPA | OW | OGWDW | Drinking Water Infrastructure Development Division

Teams: <u>Call</u> & <u>Chat</u> (c) 202-603-7072

From: Shih, Melissa < Shih. Melissa@epa.gov > Sent: Friday, February 21, 2025 1:11 PM

To: Plastino, Michael <Plastino.Michael@epa.gov>

Subject: RE: Ability to resume using IIJA funds on MAINES contract for DW-SFTIES Transition Support

Hi Michael,

OW's "RPIO" is 30, but 30 isn't used as an "RPIO Activity Code". Despite the similar names, they're very different to our Agency's financial systems.

RPIO Activity Code 70 is DWSRF Traditional, 71 is DWSRF LSLR, 72 is DWSRF EC. Other codes exist, but these are the main 3 that OGWDW uses for BIL DWSRF and all 3 are on the list:

Drinking Water State Revolving Loan Funds	E3SD/A	70
Drinking Water State Revolving Loan Funds - Emerging Contaminants	E3SD/A	72
Drinking Water State Revolving Loan Funds - Lead Service Line Replacement	E3SD/A	71

Based on the list and Will's email, I believe that it would be appropriate to resume using IIJA funds for this work.

Thanks, Mel

From: Plastino, Michael < Plastino. Michael@epa.gov >

Sent: Friday, February 21, 2025 12:49 PM To: Shih, Melissa <Shih.Melissa@epa.gov>

Subject: FW: Ability to resume using IIJA funds on MAINES contract for DW-SFTIES Transition Support

Hi Mel,

In looking at the spreadsheet (for work that can continue) in Will's attached email, I see this row:

IIJA	Fund	RPIO Activity Code
Drinking Water State Revolving Loan Funds	E3SD/A	70

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My understanding is that our DW-SFTIES funds on the WCF MAINES contract use E3SD/A fund and RPIO Activity Code 30. Do you know what RPIO Activity Code 70 indicates?

Michael

Michael Plastino

Drinking Water Information Systems Branch Supervisor

EPA | OW | OGWDW | Drinking Water Infrastructure Development Division

Teams: <u>Call</u> & <u>Chat</u> (c) 202-603-7072

From: Lominack, William < Lominack. William@epa.gov>

Sent: Wednesday, February 19, 2025 5:28 PM **To:** Plastino, Michael Plastino.Michael@epa.gov

Subject: RE: Ability to resume using IIJA funds on MAINES contract for DW-SFTIES Transition Support

Hey Michael,

Hanging in there! How about you?

If the fund code and RPIO Activity Code are listed in the attached excel file, then work can continue. If it not listed the work should remain paused.

If your office believes this work should continue and the guidance is incorrect, please have your SRO email me the following:

- What the work supports
- Why the work is needed
- Impact if the work remains paused

Additionally, the SRO should state that this work must continue in lieu of the current guidance which has directed much of the IRA and IIJA funding to remain paused.

Once I receive that email, I will coordinate with OFCO/OB for a final determination.

Sorry, to create extra steps, but I want to make sure we don't overstep. Hope this helps.

From: Plastino, Michael <Plastino.Michael@epa.gov>

Sent: Wednesday, February 19, 2025 1:45 PM

To: Lominack, William < Lominack. William@epa.gov>

Subject: Ability to resume using IIJA funds on MAINES contract for DW-SFTIES Transition Support

Hi Will,

I hope things are ok your way.

Are we able to resume using our IIJA funds on the contract for this work?

We have some really high priority work that we're eager to move forward on as soon as doable.

Thanks in advance,

Michael

Michael Plastino

Drinking Water Information Systems Branch Supervisor

EPA | OW | OGWDW | Drinking Water Infrastructure Development Division

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Teams: <u>Call</u> & <u>Chat</u> (c) 202-603-7072

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Message

From: Lominack, William [Lominack.William@epa.gov]

Sent: 2/12/2025 4:33:04 AM

To: kent.taylor@gsa.gov; Caroline Murphy - QFEDD [caroline.murphy@gsa.gov]; MariaChristinaFPerez

[christina.perez@gsa.gov]; AnthonyJMoraz [anthony.moraz@gsa.gov]; kareem.jarrett@gsa.gov; Jackson, Valisha [Jackson.Valisha@epa.gov]; Orzel, Gabby [Orzel.Gabby@epa.gov]; Cuilla, Michelle [Cuilla.Michelle@epa.gov]; WCF RTP [WCF_RTP@epa.gov]; OMS-EI-WCFD-CMB [OMS-EI-WCFD-CMB@epa.gov]; OMS-EI-OITO-WCFD-SMB [OMS-EI-OITO-WCFD-SMB@epa.gov]; Aikens, Carla [Aikens.Carla@epa.gov]; Kaigler, Brandi [Kaigler.Brandi@epa.gov]; Hinds,

Timothy [Hinds.Timothy@epa.gov]

CC: Noga, Vaughn [Noga.Vaughn@EPA.GOV]; Collard, Erin [Collard.Erin@epa.gov]; Young, Dwane

[Young.Dwane@epa.gov]; Maslin, Niki [Maslin.Niki@epa.gov]; Oehler, Chris [Oehler.Chris@epa.gov]; Whitlow,

Jimmy [Whitlow.Jimmy@epa.gov]; VanEnwyck, Adam [VanEnwyck.Adam@epa.gov]; Bacharach, Mark

[bacharach.mark@epa.gov]; OMS-EI-OITO-All [OMS-EI-OITO-All@epa.gov]; Manning, Tonya

[manning.tonya@epa.gov]; Campbell, Jennie [Campbell.Jennie@epa.gov]; Lemott, Sonja [Lemott.Sonja@epa.gov];

McNeill, Tiffany [McNeill.Tiffany@epa.gov]; Vojtik, Bob [Vojtik.Robert@epa.gov]; Grimm, Patrick

[Grimm.Patrick@epa.gov]

Subject: RE: Updated Guidance on use of IRA and IIJA funding under DP and the WCF

Attachments: List of Sections_Updated.xlsx

Good evening,

Update: The future of all IRA and IIJA funds remains influx. The executive order and subsequent court order have made this very challenging to navigate. Until we receive updated guidance, IRA and IIJA funds shall remain paused unless the fund code and the RPIO Activity code are on the attached list. We will provide updated guidance as it becomes available.

I appreciate your patience and understanding in this matter. More to follow.

From: Lominack, William

Sent: Friday, February 7, 2025 2:24 PM

To: 'kent.taylor@gsa.gov' < kent.taylor@gsa.gov >; 'Caroline Murphy - QFEDD' < caroline.murphy@gsa.gov >; 'M Christina

Perez - QFEDD' < christina.perez@gsa.gov">christina.perez@gsa.gov; 'anthony.moraz@gsa.gov' < anthony.moraz@gsa.gov; 'anthony.moraz@gsa.gov' >

'kareem.jarrett@gsa.gov' < kareem.jarrett@gsa.gov >; Jackson, Valisha < Jackson.Valisha@epa.gov >; Orzel, Gabby

<Orzel.Gabby@epa.gov>; Cuilla, Michelle <Cuilla.Michelle@epa.gov>; WCF RTP <WCF RTP@epa.gov>; OMS-EI-WCFD-

CMB < OMS-EI-WCFD-CMB@epa.gov>; OMS-EI-OITO-WCFD-SMB < OMS-EI-OITO-WCFD-SMB@epa.gov>; Aikens, Carla

<<u>Aikens.Carla@epa.gov</u>>; Kaigler, Brandi <<u>Kaigler.Brandi@epa.gov</u>>; Hinds, Timothy <<u>Hinds.Timothy@epa.gov</u>>

Cc: Noga, Vaughn < Noga. Vaughn@EPA.GOV>; Collard, Erin < Collard. Erin@epa.gov>; Young, Dwane

<Young.Dwane@epa.gov>; Maslin, Niki <Maslin.Niki@epa.gov>; Oehler, Chris <Oehler.Chris@epa.gov>; Whitlow, Jimmy

<Whitlow.Jimmy@epa.gov>; VanEnwyck, Adam <VanEnwyck.Adam@epa.gov>; Bacharach, Mark

<bacharach.mark@epa.gov>; OMS-EI-OITO-All < OMS-EI-OITO-All@epa.gov>; Manning, Tonya

<manning.tonya@epa.gov>; Campbell, Jennie <Campbell.Jennie@epa.gov>; Lemott, Sonja <Lemott.Sonja@epa.gov>;

 $McNeill, Tiffany < \underline{McNeill.Tiffany@epa.gov}; Vojtik, Bob < \underline{Vojtik.Robert@epa.gov}; Grimm, Patrick \\$

<Grimm.Patrick@epa.gov>

Subject: RE: Updated Guidance on use of IRA and IIJA funding under DP and the WCF

Good afternoon everyone,

First off, I really appreciate everyone's willingness to implement the guidance we have received from OCFO regarding the use of supplemental funds (i.e. IRA and IIJA). Everyone's flexibility was awesome to see. To continue with the themes of change and flexibility...there is yet another change regarding supplemental funds.

There is updated guidance from Chad McIntosh, the Acting Deputy Administrator, that any disbursements on open grant awards that were paused due to Office of Management and Budget Memorandum M-25-13 or any Executive Order underlying that Memorandum shall continue to be immediately released, as the Agency initiated on February 3, 2025 (see last para of the attached memo). All IRA & IIJA funds are currently being unlocked by OB and we can proceed with

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obligations and disbursements immediately. I have spoken with OCFO. Gregg Treml, the Acting CFO, will provide updated guidance early next week.

Let me know if anyone has any questions.

v/r Will

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Sent: Monday, February 3, 2025 12:01 PM

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Subject: Updated Guidance on use of IRA and IIJA funding under DP and the WCF

Good morning everyone,

This is a large distro list, but I wanted to make sure I captured everyone. If I missed anyone with a need to know please share.

After a wild week, below is an update on how DP and WCF is handling IRA and IIJA funding moving forward. Many of you sent emails last week for clarification and rightly so. I realize there will continue to be ambiguity and questions as we move forward, and we will answer those on a case-by-case basis. Please realize the landscape is changing rapidly. We will try to pivot quickly as more guidance comes available. So here goes....

- 1. Can we incrementally fund contracts with 25 WR money? Can we pay contract invoices at this time? Yes, we can. I spoke with Kevin DeRycke from OCFO's WCF Branch and collectively we have isolated all FY25 IRA and IIJA funding (\$7.6M) tied to WCF agreements and set those funds aside. There is no IRA and IIJA money on any current contract funding actions, including ITS EPA IV. The money for DP contracts is WR money, so a waiver is not required. Please proceed with processing contract funding modifications at this time. When paying invoices, please only use LOA with 25 WR funding. We have not been able to completely isolate IRA and IIJA funds from 24 WR LOA, so anything 24 WR should not be used at this time.
- 2. Can you please confirm that fund code 'BS7' is not an IRA / IIJA funding code? We checked service agreements in CDW that have an 'S' for the second character of the code and noticed that the results for 'BS7' were not on the report Brandi shared earlier this week. Two examples are included below. Kevin DeRycke reached out to the Office of Budget for clarification and the BS7 funds are ARP funds and are not subject to the IRA AND IIJA pause. If anyone happens to see any other anomalies, please let me know.

Document		Line						Ohio	Object				
Туре	Document Number	Line		Expended	Available	BBFY	EBFY	Fund	Org	Program	Prject	Class	Description
wo	24P006G0001		29 \$11,509	\$11,303	\$206	2023		BS7	06G	000A59		2576	Adding postage funds received from ARD for shipping cost. Applying funds that were reprogrammed directly onto the service agreemant. DCN: 2406WCF147.
wo	25DP05A0001		6 \$4,311	\$1,832	\$2,479	2023		BS7	05G	000A59	LSLMIBB	S 2576	MSD WCF Request 25DP05A0001. DP Data Processing DP05A0001. Forward Fund SA. POC: T. Elsberry

3. Updated guidance from Acting CFO on 4-week pause of IRA and IIJA connected to essential workforce support only. Please reference the attached email subject "Inflation Reduction Act and Infrastructure Investment and Jobs Act Funding Paction Pause" dated 1/31/25 from Gregg Treml. OMB has provided a 4-week approval (1/31/25) to process/disburse pay/employment expenses in IIJA and IRA only. Think WCF workforce related stuff only like CT, MP, MW, DA, any O&M UH or TZ stuff, etc. The pause on non-employment related funds (non-mandatory projects other TZ, TC, EV, etc.) remains in effect for all IIJA and IRA accounts. Bottom-line, if it does correlate to workforce, O&M support, or security it should remain paused. I know CORs and TPOCs have sent out lists of activities that are paused. I also realize this list might include work that cannot be paused. Please work with the CORs and TPOCs on any exceptions needed, as I realize there are some services that cannot be "paused" without being decommissioned. I would encourage everyone be more conservative when reviewing exceptions.

The attached excel list is an updated report with worksheets for IRA and IIJA WCF Service Agreements and Registrations. Service managers and CORs should be able to use this listing to help determine what registrations should be paused.

- The service agreement tab shows IRA/IIJA funding (total, expended and available) as well as total service agreement funding, whether the agreement is fully funded by IRA/IIJA, and the services associated with the account.
- The registration tab lists all the associated registrations and includes the bill type (to identify multiyear) and service type (sole provider, preferred provider, and discretionary).

As stated above, everyone should take a minimalist approach. I would encourage all service managers to continue communicating with Application Owners and when/if we pause or decommission services. The reason for the communication is we do not have visibility into whether those applications should or should not be shutdown/turned off. Please work under the following guidelines which has been coordinated with OITO Div Directors and the IO:

For all systems connected to the production network:

- Complete patching of applications/databases ensuring completion within the established timeframes.
- Complete updates required to resolve Critical and High vulnerabilities within the established timeframes. For Production applications/databases:
- Respond to and resolve critical issues of Production applications/databases in order to maintain the uptime of the system
- Work on applications/databases supporting test, development, or staging environments is paused except where a security issue or vulnerability must be resolved.

No new work is to be initited or continued for any of these applications/databases until directed.

Thanks for everyone's patience. If there are any questions, please ask.

v/r Will

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